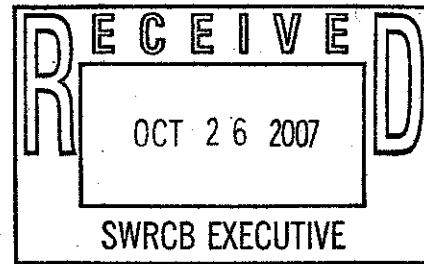


October 26, 2007

Tam Doduc, Chair and Members  
State Water Resources Control Board  
1001 I Street  
Sacramento, California 95814

VIA EMAIL: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)

**Re: Statewide Water Recycling Policy**



Dear Chair Doduc and State Board Members:

Please accept these comments on behalf of San Diego Coastkeeper, a non-profit environmental organization working to protect the region's ocean, bays, beaches, and watersheds. Coastkeeper has long been an advocate of water reuse and we thank the State Water Resources Control Board for developing a policy that the whole state will look to for guidance on implementing safe, responsible, and uniform water recycling programs.

The proposed Water Recycling Policy (Policy) is an important step in both encouraging and regulating the use of recycled water in California. Public and private entities, as well as other agencies, will look to this Policy in implementing and planning water recycling projects. Thus, the Policy will shape the way Regional Boards throughout the state regulate recycled water projects.

The techniques, standards, and procedures outlined in the Policy will provide a detailed approach and predictability in implementation that will be unavailable to those using water recycling techniques unmentioned in the Policy. Because the Policy has such a broad impact, any omission in the Policy has significant effect. Therefore, it is important to note that it is unclear whether the Draft Staff Report and Certified Regulatory Program Environmental Analysis (Draft Staff Report), and therefore the Water Policy, covers indirect potable reuse (IPR) or reservoir augmentation. With the increasing statewide concerns over water supply due to the mandated reduction of delta pumping and wide-reaching climate change impacts, the need for potable recycled water is clear. Nevertheless, the Water Recycling Policy only specifically addresses groundwater recharge reuse projects and does not include any mention of indirect potable reuse. (Draft Staff Report, p. 1).

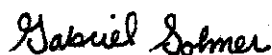
In order to specifically incorporate IPR into the Policy, the Draft Staff Report should address the implementation of IPR. Much of the analysis of groundwater recharge projects is also applicable to IPR. The Draft Report could incorporate IPR into the groundwater recharge aspect of the policy, or build upon that portion of the report to create a separate section for IPR.

In addition to our specific comments here directed towards Policy inclusion of IPR, Coastkeeper also supports, and is a signatory to, the statements in the California Coastkeeper Alliance letter submitted by Linda Sheehan on October 26, 2007. Coastkeeper submits this letter separately to request inclusion of IPR in the Policy, but believes that the detailed comments of the Alliance letter are equally important. Indeed, successful incorporation of IPR into the Policy relies on many of the changes requested in the Alliance letter.

Specifically, as stated in the Alliance letter, water recycling that is addressed in the Policy should be given individual attention by Regional Boards for compliance with Resolution No. 68-16. This argument is true for not only IPR, but all water recycling projects. The Policy should serve as a framework for compliance as opposed to a wholesale determination that water recycling planned and implemented as outlined in the Policy meets the best practicable treatment or control standards. Although Coastkeeper agrees that water recycling is in the public interest and provides a great benefit to the people of California, the requirements outlined in the Policy and Draft Staff Report do not necessarily define best practicable treatment or control (BPTC). The ultimate determination of BPTC should be made by Regional Boards on a project specific basis as emerging contaminants and the state of both the industry and science are continually changing. Because of the broad scope of the Policy, the standards referred to in the Policy as BPTC are certainly a starting point for treatment or control analysis, but are not necessarily BPTC. As noted in the Draft Staff Report, the Regional Boards develop project-specific waste discharge and water reclamation requirements for groundwater recharge, but are also free to add additional requirements to protect other uses besides municipal supply. (Draft Staff Report, p. 8) In this manner, Regional Water Boards determine the BPTC and thus, compliance with the Policy should not be indicative of compliance with Resolution No. 68-16. For specific comments please refer to the Alliance letter.

As more water recycling programs are implemented throughout the state, the Board's Water Policy will be of utmost importance. Therefore, Coastkeeper requests that the Board incorporate IPR as well as the specific changes outlined in the Alliance letter into the Draft Staff Report and subsequently into the Water Policy, and re-circulate the new documents with an extended comment period. Coastkeeper appreciates the Board and staff's efforts to create this Policy and the opportunity to comment on the process and documents.

Sincerely,



Gabriel Solmer  
Legal Director